

**TOWN OF CHESTER
PLANNING BOARD MINUTES
June 18, 2014**

Minutes of the June 18, 2014 Planning Board Meeting

Members present: Don Serotta, Chairman, Frank Gilbert, Robert Conklin, Carl D'Antonio,
John Gargano, Barry Sloan

Also present: David Donovan, Attorney
Alfred Fusco, Engineer

The meeting was called to order at 7:00 p.m.

A motion was made by Carl D'Antonio and seconded by Barry Sloan to adopt the minutes from the May 21, 2014 meeting. The motion passed with a 6-0 vote.

GREENS AT CHESTER – Chairman Serotta stated the Greens at Chester are requesting a 90-day extension for final approval. A motion was made by Frank Gilbert and seconded by Bob Conklin to grant the extension. The motion passed with a 6-0 vote.

TETZ MINING - Gary Tetz, owner of Tetz Mining, appeared before the Board to request permission to move a temporary trailer located at the Tetz industrial park. He said where it is located now; it is interfering with the buses coming in from Coach USA. Chairman Serotta said based on 98-31 the Planning Board grants permits for temporary trailers. A motion was made by Frank Gilbert and seconded by John Gargano to grant the permit. The motion passed with a 6-0 vote.

ORANGE AND ROCKLAND UTILITIES – Chairman Serotta stated that the meeting tonight with Orange and Rockland is a public informational meeting to discuss the proposal of a new substation located on Sugar Loaf Mountain Road. Erik Denega, project manager for Orange and Rockland, appeared before the Board to give an overview of the project. He stated that this project is a proposed 345 to 138 kilovolt (KV) step-down transformer substation adjacent to the existing substation.

Erik Denega stated there was a public comment period that started on December 31, 2013 and ended on March 3, 2014 and began when an Environmental Management Construction Plan (EMCP) was delivered to the Town of Chester library and also was given to the Town Hall and additional copies were given to the Town Board. He stated although the comment period has ended, Orange and Rockland wants to take it a step further to make sure we hear any public concerns and do the best we can to mitigate those concerns within our abilities. Erik Denega also stated that this project is covered under Article VII, Section 130 of the NY Public Service Law and is basically exempt from municipal review.

John Coffey, senior engineer for Orange and Rockland, gave a brief history of why they were here previously for the existing substation and why they are here tonight. He explained that the substation that was installed in 2011 was built to handle 138 KV input and was being supplied

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from lines connecting to a Central Hudson source. The Central Hudson lines are old and have become unreliable and Central Hudson is not willing to upgrade the lines. As part of the 2011 substation project, it was stated then that O&R was going to run a new line from Ramapo to Sugar Loaf Mountain Road utilizing a set of spare arms on an existing Con Edison power line. The last piece of our 2011 project was always to get the new source of power and to divorce ourselves from the Central Hudson tie. The new line was originally planned to run at 138 KV and would be directly connected to the existing substation. Except for the new source of power, O&R thought we were finished at the Sugar Loaf Mountain Road site for the next 20 years, but there are events that have happened in our industry that are bigger than us such as Hurricane Sandy and the failure of a Japanese nuclear plant that spawned a lot of scrutiny at Indian Point. When the state public service commission (PSC) looked at projects that could replace Indian Point, they saw a power line with one set of arms and is half utilized and can become a shovel ready job. No one wants to run new transmission through undisturbed areas; they want to look at a project that can be utilized right away with the least impact. Based on the PSC direction, Con Edison is running the new line past Sugar Loaf Mountain Road up to Rock Tavern It is labeled Line 76 and will be powering the line at 345 KV. I just want to clarify that when we were building the 2011 substation, we were not thinking of this. So, as soon as line 76 is built and put into service at 345 KV, O&R will not be able to connect into the line until a new step-down transformer substation is built to bring down the voltage to 138 KV. This is really necessary to make Orange and Rockland whole at the end of the project and to continue to operate the 2011 substation. We tried to look at expanding the footprint of the existing yard, but there are wetlands, problems with sighting, a big drop-off behind the station and a large transformer in the back. The next best approach was to put the new step down substation in the middle of the existing right-of-way behind the 2011 substation.

Dave Donovan commented on his findings concerning Article VII, section 130 of the Public Service Law. He said this application is different from the prior 2011 application because this is an Article VII proceeding. He read section 130 of the Public Service Law. He stated there is a certificate issued for Orange and Rockland by the Public Service Commission which has been submitted and I have reviewed. At the end of the day, as indicated at the last meeting, we do not have any approval authority over this application.

Chairman Serotta opened the public informational hearing. Let the record reflect that the proper mailings were sent out. Let the record reflect that the proper notice was placed in the Times Herald Record.

The first person to speak was Susan Sodano, residing at 25 Sugar Loaf Mountain Road. She stated the following: my house is located approximately one mile from the substation. When the first substation was installed I was told by Orange & Rockland that my house was not going to be affected because I live too far away. That however was not the case. My house is impacted by this substation. My question is if Orange & Rockland approached the Town Board in December of 2013, why didn't the residents in the area get a mailing back then and not now? In 2009 we were told by O&R this is what we are going to do and we will be out of there. Now all of a

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sudden we find out that there is going to be more construction and more defamation of our surrounding areas with another substation being installed. I understand that there is nothing we can do about this because this project falls under Article VII of the Public Service Commission. Susan Sodano said if anyone in this area has an issue with trying to find possible alternate ways we should address the Public Service Commission? Chairman Serotta said we will ask Orange & Rockland to address that after you are finished speaking. Susan Sodano said I would like to find out about the existing smaller substation across the road, is that owned by Orange & Rockland or is that owned by Central Hudson. John Coffey responded by saying there are actually two of them, one directly across from the 2011 substation is owned by Orange & Rockland. There is a smaller one behind that which is owned by Central Hudson. They have lines that run from the Rock Tavern area and head to Sussex New Jersey. Susan Sodano said my question is why can't you build this new "tiny" substation in where the older substation is currently? Chairman Serotta said we will put all the questions and comments on the record and we will then ask Orange & Rockland to answer the questions brought up by the public. Susan Sodano continued by saying there is constant road traffic. It seems like it is 24/7. There have been issues with truck and construction traffic on weekends, sometimes into the late evening hours. Orange & Rockland and subcontractors have not been good neighbors and not very receptive to concerns about the traffic and the noise. What will be done to rectify that? I understand that power lines have to be run, but the residence of Sugar Loaf Mountain Road who have to put up with the inconvenience of this for years now, which is going to continue for another four years, we don't benefit directly at all from any of this. Hurricane Sandy came and our entire road was without power for 7 to 10 days. We are right down the road from this giant substation and we hear it humming along and we can't get any benefit from it. It is benefiting everyone else but us. Yet, we are totally inconvenienced by this substation. I can see lights that look like a prison from my backyard. Most of the wild life has disappeared from my property that I use to enjoy. The landscaping is sorely lacking. They have tried over the years to fix it, but it has not been corrected up to standard to what it originally was. Now I have trucks going up and down all day long, I have guys yelling all day long, back-up beepers all day long. I can't get any peace and quiet anymore. That is why people move to this area, now I might as well move to the industrial park, because that is what it sounds like. I have cones up and down my street, I don't have sidewalks, this is a two lane little road. You have guys directing traffic and you have giant trucks. They start at 7:30 a.m. and go past 5:00 p.m. It is very disturbing to me and my families' quality of life.

Chairman Serotta stated he would like to explain the public notice process. Orange & Rockland dropped off the EMCP plan for the Town on December 31, 2013, that was the same day as the transition between the new and old town supervisor. The clock started to tick on the public comment period and the Planning Board itself, did not find out until Erik Denega contacted me and requested to get on the agenda for the installation of the new substation. He stated he never received a copy of the document during the public comment period which ended in March of 2014.

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The next person to speak was John DeRosso, residing at 15 Beverly Road. He stated the following: I am hearing you talk about this step-down transformer. I know nothing about it. How big is it? Where is it really going to go? I have a very thin tree line left behind my house. When Orange & Rockland came in and did the vegetation management, they cleaned everything out behind my house. I have a big cleared out dirt spot, is that cleared for the step-down transformer? Any idea how big this thing is? John Coffey said the fence line is 190 x 266'. The transformer itself is about 18 to 20-foot high and about 20' x 20' dimensional. Again, we don't have the final design on it yet. John DeRosso said my biggest concern is we are holding on by the skin of our teeth with any kind of aesthetics. I want to know what is going to go at this point and what is going to stay. Chairman Serotta projected pictures that were sent by John DeRosso of the project site. John Coffey said the new station is going in the right-of-way which is already cleared. The new line 28 that is being completed next week is taking the same path off that right-of-way to the existing station. There is some low line brush that will be getting cleared. There is not significant clearing of the existing mature growth. Jim Shannon, project manager for Con Edison, said the sense I have gotten is that there will be very little tree clearing, if any at all. We are still in the final stages of the design. We plan to come in with a landscaping architect plan and we are more than willing to share it with you folks and let you have some input into it. John DeRosso pointed out a tree from his pictures. He said there are probably six of them going across and that is the only buffer I have left. When they come in to do vegetation management they say well it is within so many feet of the lines and the trees come down and they are not coming back. John Coffey said we can certainly meet with you on your property and review what the clearing envelope is. Frank Gilbert asked John DeRosso about the distance from the new pole to the tree he pointed out in his pictures. John DeRosso said approximately 100' to 150'. Frank Gilbert asked Orange & Rockland what is the clearing width. John Coffey said I don't know exactly in this area what we have to clear to. Generally, when we are clearing it is 100' or 150' and again right-of-ways vary and they could vary on that line. Frank Gilbert said it is probably 150', so that tree is going to go. John Coffey said no, I can't tell you that. Frank Gilbert said the branches that hang in the area of new pole will be cut. John DeRosso said that pole was there last time. All they did was move the wires from one side to the other. My concern is that when it is that close to the trees, 5 or 10' makes a difference in those trees staying or going. John Coffey said my general impression is toward the Beverly side of things we don't have to do anything additional for this job, but I will specifically have someone walk you through. John DeRosso said they destroyed my property last time. John Coffey said I am not trying to divorce ourselves from that project, but the right-of-way management is a different process in the industry and when we had the major blackout, the envelope changed to be more aggressive but that clearing limit was improperly communicated and what they left you with was wrong and we are trying to work with everyone to make sure we communicate better. But that clearing had nothing to do with the last project or this one, that's right-of-way management. That new right-of-way maintenance is regulated by the PSC and we have to maintain those clearances.

John DeRosso showed a winter view of his property. He pointed out a concrete footing in the woods, saying when I went back and looked at this, I said they are going to come back and cut

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everything else down. So I talked to Mark Beamech and he said you are right, the engineers put that in and that's all coming down. Luckily, I think there was enough going on that they were able to rectify this and Orange & Rockland moved the pole. John Coffey said again, we consciously moved the pole because of what had occurred prior. John DeRosso said my concern is I don't want to live every week thinking that something like that is going to happen again. John DeRosso said it seems every time I come home I have a new surprise. John Coffey said I understand, but we are not using that structure, we moved away to maintain that buffer.

John DeRosso questioned the noise level of the step-down transformer. He said according to your summary it says it is a 65 decibal unit. Jim Shannon said we did a sound study which we received the final results today. We will be in compliance with the DEC regulations. John DeRosso said if the noise level turns out to be unacceptable what can be done to rectify that. John Coffey said the regulations are strict and it is forcing a possible unique lower noise transformer. There are always barriers and other cancelation techniques that we are trying not to use, but there is always that second step that could be utilized as well. John DeRosso asked if that would be berms, or plantings. John Coffey said it could be sound walls, something around the transformer that keeps the noise in.

John DeRosso said everyone is extremely sensitive about this because it has been 5 years. You are telling us now it will be done by 2016 which makes it 7 years. It seems like when you start building, things are going to step up even more. There are going to be a lot guys working back there, late nights. In some ways if I know in 6 weeks they will be done and they are working Saturday and Sunday some part of me does not mind. But the other part of me says when that ends then you get another notice in the mail telling you we have a new project coming up, it will be another 2 years or 5 years. The last 5 years I got a real education and really it is a miserable place to be and it seems you don't always get the truth and when you do get the right story it usually is after the fact. I want to know before what to expect. Jim Shannon said we will make every effort to communicate with you.

John DeRosso said this question is safety related. You read a lot of things about transformers blowing up. What are the chances of something like that happening? It's one thing if it is next to an industrial park but when you live 500' away, you don't want to be in your backyard and have a 60 pound piece of metal landing on your lap. John Coffey said we have an extremely long history of a very reliable operation. As technology improves, transformers have oil in them and we sample our transformers and monitor them 24/7. Our energy control center monitors it 24/7. We do have multiple backup systems that are there to protect the transformer and we test them on regular bases. Units have 50 year lives to them and we are monitoring them from day one. We work with the fire department, they get a tour of the facility and we have a full emergency response plan on how we interact with the fire department to keep them safe and to keep the neighbors safe.

John DeRossa asked a question in regard to the 345 KV line. He asked concerning the line do you have any idea what the EMS is going to go up to? John Coffey said I would have to get

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back to you on the details, but when you run two transmission lines, we run them typically so that one ends up canceling the other. Typically the second line actually brings the magnetic fields down because one counteracts the other.

The next person to speak was Margie DeRosso, residing at 15 Beverly Road. She stated that there are a lot of really good people who live on Sugar Loaf Mountain Road and I would implore Orange & Rockland to really think about the good hard working people and to do what is morally and ethically right.

The next person to speak was Claude Brischoux, residing at 51 Sugar Loaf Mountain Road. He said the following: going back to 2009, when you proposed a switching station it was not even thought of what you are talking about doing now. I understand politically things change. Having gone through the build-out of the switching terminal, I experienced sediment to my well requiring a filter system to be installed. Along with that, a very large tree which was on Orange & Rockland's property came down and it has been there for 4 years. I just hope that your landscape architect this time is not the same one as last time because by me there were two pine trees planted, one of which died. That was the extent of your landscaping for my side. As far as the transformer, if the new transformer is acting like the old transformer, I can tell you living right across the street; you can hear it very well. The thing about the safety, I can give you a list of dates that you have had transformer blowups. It is very colorful. When you have a failure, it's not just a quite little thing. Unless your technology has improved a lot, I wait to see what will happen with the new one. I am also concerned with the noise level. At this point my house is dead in the middle of both, so I am not too keen on having stereo decibels on either side. If there is anything that can be done, I would appreciate it. I also hope something more is going to be done as far as the landscaping because Orange & Rockland dropped the ball last time.

Barry Sloan asked Erik Denega to post a build-out schedule in the review comments so the public can see what the time frame is. Barry Sloan said to Chairman Serotta that you made a comment that these plans were dropped off in January 2014 and here it is June and we are first having a public hearing. The Planning Board did not know that these plans were dropped off in January. The supervisor's office shelved the plans, misplaced the plans whatever you want to call it, here it is 5 months later and we are first hearing about this project. We could not react, review, or talk about it and I find that very disheartening. It is ridiculous for this town to act like that.

Carl D'Antonio stated he is concerned with esthetics and landscaping. What is going to be done as far as something in a site plan that is going to help these people and how are we going to make sure Orange & Rockland is held accountable?

Bob Conklin asked Orange & Rockland if the site is more remote then most of your sites as far as the location of the substation. The one that was put in a few years ago was fairly accessible. This site is extremely remote in my opinion. John Coffey said compared to the yards that are on Sugar Loaf Mountain Road this new addition could be categorized as more remote. Bob Conklin

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said 25 years ago I was a fireman in Mahwah, New Jersey when there was a catastrophic plant failure. We were there for days trying to fight that fire. I'm looking at this and this looks like an absolute nightmare. I think you need to put a road in that the fire department is going to be able to use, not a goat path. Jim Shannon said there will be a road design.

Frank Gilbert asked the people who spoke at the informational hearing if they were made whole by Orange & Rockland as far as landscaping. The answer from the audience was no. Frank Gilbert said do we think that this is going to happen now, if it didn't happen 3 years ago when the other substation was built. Jim Shannon said our intent is to hire a landscape architect which we did, to work with Karen Arent, your landscape architect to develop a landscape plan after we visit the homes. You will have it on record. Frank Gilbert said that is exactly what we heard last time. John Coffey said again, the off-site clearing that John was referring to, we approved a plan for this substation last time that Karen Arent was involved with, and we followed that plan. There is some maintenance issues, some trees died, that happens all the time and we can refurbish them. Frank Gilbert said I don't think it is just maintenance issues, I have been through there and I don't think that the homes of these people were shielded the way they should have been.

Chairman Serotta scheduled Orange & Rockland to appear before the Board on August 20, 2014 at 7:00 p.m. The public informational hearing was left open.

OHEL TORAH SITE PLAN – Jim Ramus, engineer for the applicant, appeared before the Board for site plan approval for a school of special instruction located at 158 Greycourt Road. He described the project as a school of special instruction, mainly for religious education, housed in an existing structure.

Al Fusco submitted the following letter:

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- 233 East Main Street
Middletown, NY 10940
Phone: (845) 344-5863
Fax: (845) 956-5865
- 19 Waywayup Lane
Port Jervis, NY 12771
Phone: (845) 956-5866

June 17, 2014

Don Serotta, Chairman
Town of Chester Planning Board
1786 Kings Highway
Chester, NY, 10918

Re: Ohel Torah
Greycourt Road

Dear Mr. Serotta and Planning Board Members,

We have reviewed the file offer the following:

Project: Ohel Torah Site Plan dated June 2, 2014
Zone: OP - District
Acres: 1.45 acres
SBL: Section 3, Block 1, Lot 4

Project Description: This project is a site plan for a private school located on Greycourt Road. The proposed school will have eighty (80) students and six (6) teachers.

The following items are listed to assist the applicant in completing your submission to the Planning Board. Please note that this is only a guide, as the plan progresses other items may be listed in future meetings. If you need further assistance please contact this office.

Comments: We have reviewed the site plan and offer the following comments for planning board review.

1. Section 98-290 of the Town of Chester zoning ordinance requires 4 acres minimum for a school. A variance appears to be necessary.
2. An area map is required to be provided and should show existing structures within 300 feet. The location map is too small to read what is existing. Please label all structures.
3. An evergreen screening to provide a buffer between the playground and the lands of Sumter was not provided.

4. The handicap parking stall does not meet ADA requirements. An 8' striped aisle width adjacent to the parking stall is required for handicap access.
5. Provide the location of the water service line on the plans.
6. Provide OCHD approval for the subsurface sewage disposal system.
7. Provide Highway Supt. comments as required. Existing sight distances appear to be very limited and should be enhanced if at all possible.
8. An outdoor play area is required and needs to be fenced per zoning ordinance. The plans should show this location and a fence for same.
9. Although the plans appear to meet code with regards to parking, it is very clear that assemblies involving parents (i.e. plays, report cards, parent/teacher conference, etc.) will create serious parking issues. The plans should note how special events like this will be handled with regards to parking.
10. The plans must note that the existing building in the rear is for school storage only.
11. Provide NYS educational operating license. This can be a condition of approval, if requested.
12. Show site plan markers to be set at the property corners and angle points along Grey Court Road or note they are existing.

This concludes our review at this time.

Approvals/Permits:

1. Public Hearing.
2. ZBA variance, if required.
3. Health Dept. approval for the septic system.
4. NYS approval to operate an educational facility.
5. Resolution of SEQR.
6. Final site plan approval.

Please advise if you have any questions.

Very truly yours,



Alfred A. Fusco, Jr., P.E.
Fusco Engineering & Land Surveying, P.C
AAF/sdb

Dave Donovan stated this project is in the OP zone. Chairman Serotta asked if we have a definition of school of special instruction. Dave Donovan read the zoning for private schools, colleges or other educational institutions. He said I don't know if that is different from a school of special instruction, it might be the same. Dave Donovan said one of the things we asked for last time from the applicant was a narrative describing what the school is about. Jim Ramus said he is waiting for the applicant to provide that. Dave Donovan said if the school has between 51 and 100 students then they need more acres to operate and the applicant would need a variance. Frank Gilbert asked Dave Donovan to read the zoning code again concerning the amount of

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acres necessary versus the number of students. Dave Donovan read the following: 0-25 students is two acres, 26-50 students is 3 acres, 51 to 100 students is 4 acres, each one to 100 additional students is one additional acre. The applicant has 1.45 acres.

Frank Gilbert asked if the school is currently being used for special instruction. Jim Ramus said I don't know if there are classes being held currently. Frank Gilbert said I've checked and they are having classes there. Frank Gilbert asked if there is access to the playground from the back of the building. Jim Ramus said there are two sets of stairs in the back. Frank Gilbert said your fence ends where they can get into the driveway. Jim Ramus said that is correct, if you would like I could extend the fence. Al Fusco said extend the fence somewhat to the corner, not all the way. Jim Ramus agreed to extend the fence. Frank Gilbert asked if the back building on the site is strictly used for school storage. Jim Ramus said that is what it is noted that it should be utilized for, so we are going to tell the applicant that it has to be. Frank Gilbert asked if it will be on the plan. Jim Ramus answered yes.

Karen Arent, landscape architect for the town gave a presentation to the Board on improvements that could be made to the property and submitted the following:

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To: Chairman Donald Serotta and the Town of Chester Planning Board

From: Karen Arent, Landscape Architect

Date: June 24, 2014

Subject: Ohel Torah

Consultant: Kirk Rother PE

Cc: Mr. James Ramus

COMMENTS:

1. Pear trees should be revised to Shadblow Serviceberry, 8-10' clumped. The Shadblows will better break up the view of the long façade from the road. One Shadblow should be shown approximately 5' from the eastern corner of the building. Ten feet or so from the corner, three Shadblows should be shown spaced 5-8' apart where there are not windows. One Shadblow should be shown in the space between the windows (three more). Another Shadblow should be shown on the west side of the doors between the windows and another 5' from the corner of the building. Shadblows should start 10' from the end of the building and be spaced 20' apart. Under each Shadblow a double row of Korean Boxwood, *Buxus sempervirens koreana*, 15-18", should be shown, six to ten Korean Boxwoods per Shadblow. Entire beds should be mulched with 3" bark mulch.
2. Gold Thread Cypress, as shown on the first drawing, should be shown between the doors spaced approximately 4' apart in a double staggered row.
3. All shrubs should be shown with centers a minimum of 5' from the building. Trees should be shown with centers 7-8' from the building.
4. Sugar Maple street trees should be revised to Ironwood, *Ostrya virginiana*, 3.5-3" caliper, because the trees are close to overhead utility lines. A couple more trees should be shown. In addition to trees currently shown on the plan, one more tree should be shown in the island. One more tree should be shown on the east side of the island near where the two drives intersect.
5. Five Norway Spruces should be shown along the property line spaced 10' apart, to block the view of the building from the neighbor's house.

Chairman Serotta displayed several pictures of the site. He stated this school is under a town order for them not to be occupying the building. I have been there twice and there were at least 25 people in the building. This was at 7:00 p.m. He said to Jim Ramus you had mentioned it was a 5:00 p.m. closing for the school so I want to make sure the lighting is sufficient if they are going to be staying there until 7:00 p.m. Chairman Serotta stated that along the Heritage Trail there is some garbage that borders the applicant's property. We are not saying they had anything to do with littering the area, but we would appreciate it if they would consider cleaning it up.

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Chairman Serotta said there is a trailer on the property that is not shown on the plans. Jim Ramus said it was originally located where the new septic area is and when they remodeled the septic system, the applicant was supposed to remove the trailer from the site. Chairman Serotta said we need a note on the plan saying that trailer gets removed. Chairman Serotta said a huge delivery of pipes was delivered to the site recently. You said the applicant was getting rid of the plumbing supply business that is not allowed on the property. Chairman Serotta stated that we are not an enforcement board, but I do have problems signing prints until I know these issues are going to be taken care of. The next issue was placement of the dumpster. Somewhere on the plans we need to see the dumpster enclosure and what it is going to look like. Jim Ramus said the dumpster enclosure will be a chain link fence with green slates on a concrete slab. It will be 10' x 8'.

John Gargano asked about fire truck access. He asked if the road is wide enough for a fire truck. Chairman Serotta said the building inspector is the person who inspects the fire issues. We will send a formal request to him to do an inspection and expect something back from him.

Frank Gilbert made a request that the Board does not see the applicant again until we have the information that we are looking for. He said the last time they didn't have it and now we are here again and they still don't have it.

Al Fusco said we should schedule the applicant for the next meeting to determine if he needs a referral to the ZBA concerning the acreage issue.

Carl D'Antonio said there is not enough here to even warrant any comments.

John Gargano stated again his concern for the fire department review of the road. He also added I don't think there is sufficient lighting and I would like to see a lighting plan.

Barry Sloan requested additional fencing be placed because of a safety issue. You can't have an open area where kids can wander around. Jim Ramus said we will add additional fencing there. Barry Sloan asked if there is an existing oil tank on the site that was supposed to be removed. Jim Ramus said it was suppose to have been removed. It was an above the ground oil tank. Barry Sloan said it needs to be noted on the plan.

Chairman Serotta scheduled the applicant to appear before the Board on July 16th, 2014 at 7:00 p.m.

BAZ SITE PLAN – Jim Dillin, surveyor for the applicant, appeared before the Board for a work session for a site plan for property located on Bellvale Road. He stated this site was originally approved in 1984 for construction of a gym and we plan to try to rehabilitate the existing building. The existing lot consists of 7 acres and is located in the IP zone. We are proposing to do light industrial that would require 40 parking spaces. We plan to have a sewage system which is going to use less than 1000 gallons a day. We have to deal with stormwater management from

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the roof. The roof is over an acre in itself and I think our disturbance is another acre. We are going to have to have a stormwater pollution prevention plan (SWPP). Back in 1984 there were no wetlands on this property. In the late 80's part of the property was deemed to be a federal wetland and in 1990 it had an additional N Y State fresh water wetlands taking on it, where they actually came in and remapped the wetlands. This site is very sensitive to NY State DEC wetlands and is going to need a disturbance permit. The DEC is going to meet with me on July 1st to make sure the wetland delineations are the same.

Jim Dillin said we think it will totally comply with zoning. There is one issue, a 200' buffer to a residential district is required and there is only a 158' available. There have been several variances given so I don't know if we are going to be required to revisit the ZBA for that. It is a pre-existing distance. It has always remained. Dave Donovan asked Jim Dillin to get any information he has for the variances.

Barry Sloan asked the applicant what he plans to do with the building. Brian Leentjes, the applicant, said he is looking to lease the building out for light industrial use.

Frank Gilbert said the former applicant tried to establish access to the road that ran behind you, is that still an issue. Brian Leentjes said no.

Jim Dillin will contact the chairman when they wish to appear before the Board again.

SCARLET'S WAY SITE PLAN – Jim Dillin, surveyor for the applicant, and Steve Brander, architect for the applicant, appeared before the Board to request approval for a site plan located at 1361 Kings Highway. Jim Dillin introduced the site plan with changes that were made from the previous work session. He said the house was moved south, 5 or 10 feet'. It is a 7 car parking lot with one handicap space. The front is handicapped accessible. The stairs are going to be replaced. The existing stairs that go to this building are flagstone and we are going to reset those. The sidewalk will continue into an area where the garbage will be stored. That would also lead to a stairway up to a deck which is in the back of the house. He said for the required parking, I took into account using the existing dwelling in tandem with the retail business because the same people will be using that. The required spaces are 11. This is a gravel parking lot and we just have to extend it two more spaces. The only thing is if we go to 11 spaces, we will have to pave it. Frank Gilbert asked what size are the parking spaces. Jim Dillin said 10 x 26'. The entrance to the parking lot will be 16' wide so two cars can pass.

Jim Dillin said on the original plan that was brought in we were thinking about attaching to the existing sewer district 4A. We have not been paying any fees to be in it so we are excluded. We found out from the previous owner that a new system has been put in and we will use that system for sewer. We will be using the same well for water.

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Chairman Serotta stated there is an old cemetery nearby. It is on someone else's property. Jim Dillin said he did locate it on his site map. Chairman Serotta displayed the town code for cemeteries 40-A-5. It requires any kind of construction to be 100' or more from the cemetery. .

Steve Brander, architect for the applicant, submitted the following letter:

Stephan C. Brander, A.I.A. Registered Architect 11 Winding Lane, P.O. Box 436 Central Valley, N.Y., 10917 tel: 845-928-2228, fax 845-928-8049 E-mail: SteveBranderAIA@gmail.com

June 10, 2014

Planning Board
Town of Chester
1786 King's Highway Chester, N.Y., 10918
Donald L. Serotta, Chairman

Re: Scarlet's Way, 1361 King's Hwy., Sugarloaf, N.Y.

Dear Mr. Serotta and Planning Board Members,

We performed a visual assessment of the existing wood frame structure at 1361 King's Hwy., Sugarloaf, N.Y. We noted numerous areas where building systems were obsolete (pre-existing) and not in conformance with the New York State Uniform Fire Prevention & Building Code. The non-compliance applies to structural framing, plumbing, heating, energy compliance and electrical codes. Termite damage was obvious in the supporting wood columns, girders, beams, some headers and floor joists. Deflection is seen throughout including roof ridge. Floors were out of level approaching 2"-2 1/2" in several locations on the first floor. Floor joist spans are random, exceed proper spacing and do not meet floor loading requirements. We were not able to access the 2nd floor private apartment and associated attic/roof areas for evaluation. The foundation is rubble stone with mortar. Footings were not exposed for evaluation. Water damage to supporting columns is apparent and no footing drain was located. A sump pump removes infiltrated ground water. Exterior siding is horizontal wood siding, painted, in fair condition. Windows have been updated to include 3/8" insulating glass. Roof appears to be metal with standing seams & painted finish. Interior finish is gypsum wall board, painted. Floors are wood, painted. The structure has undergone several renovations, alterations and modernizations since it was originally constructed. It is assumed to have been erected mid-nineteenth century. We did not find any significant or distinctive architectural detail or characteristic that would denote a type, period, or method of construction, or that represented the work of a master, or that possesses high artistic values. Any effort to correct the deficiencies as noted would be costly and

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will not achieve the desired result. The building would still be considered obsolete. Our recommendation is to demolish the existing structure and provide a new two story structure with period architectural massing, forms, and details similar to wood frame structures predominant in the colonial period. This new structure will be compliant with all zoning codes, current building and energy codes and provide accessibility for the physically challenged.

Very truly yours,

Stephan C. Brander, R.A., A.I.A.

Cc: N. Scarane

Registered Architect States of New York & New Jersey

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Al Fusco submitted the following letter:



- 233 East Main Street
Middletown, NY 10940
Phone: (845) 344-5863
Fax: (845) 956-5865
- 19 Waywayup Lane
Port Jervis, NY 12771
Phone: (845) 956-5866

June 13, 2014

Don Serotta, Chairman
Town of Chester Planning Board
1786 Kings Highway
Chester, NY, 10918

Re: Site Plan for Scarlet's Way
Kings Highway

Dear Mr. Serotta and Planning Board Members,

We have reviewed the file offer the following:

Project: Site Plan for Scarlet's Way
Zone: LB-SL District
Acres: 0.585 acres
SBL: 14-6-12

Project Description: This project is a site plan to remove an existing 1 1/2 story building and replace it with a two story building, the first floor is proposed to be a retail store and the second floor is proposed to be a residence. The property is served by its own private well and is located in the 4A Sewer District.

The following items are listed to assist the applicant in completing your submission to the Planning Board. Please note that this is only a guide, as the plan progresses other items may be listed in future meetings. If you need further assistance please contact this office.

Comments: We have reviewed the site plan and offer the following comments for planning board review.

1. The site development plan shall include the following:

a.) The site plan indicates that there is a catch basin located in the parking area and that this drains onto the adjoining lands of Wansor. The stormwater that is leaving this parking lot should be detained and treated prior to draining onto a adjoiners land,

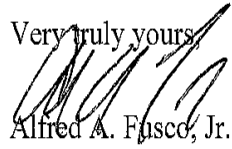
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- b.) The site plan will need to be reviewed by the sewer department and if there is capacity then this new proposed building should show connection and details to the existing sewer line located in Kings Highway. If there is not capacity then we would recommend that a dye test is to be performed on the existing sanitary disposal system, witnessed by our office and certified by a NYS Licensed Engineer to the Town of Chester.
- c.) Show limits of disturbance on the site plan and the erosion control plan along with the area of disturbance.
- d.) Show roof and footing drains on the site plan and the erosion control plan.
- e.) Show the catch basin on the erosion control plan along with additional measures to treat the stormwater prior to the leaving the property.
- f.) Provide additional silt fence along the rear of parking lot.
- g.) The applicant has shown on the site plan an area that is labeled "outside display area" we would ask that the applicant discuss with the board and what will be displayed in this area.
- h.) The applicant appears to be short on parking spaces, the parking spaces required are eleven (11) spaces, the site plan reflects a total of seven (7) proposed, we would ask that the applicant provide the four additional spaces or provide an area for overflow parking.
- i.) The applicant should clarify if there is only one proposed post lantern or if there are five proposed total.
- j.) Provide water testing on the existing well to prove that it is potable.
- k.) Provide a detail for the proposed septic tank.
- l.) This property is located on a County Highway and is subject to review by the County Department of Planning under the 239 GML.
- m.) The site plan should receive review and approval from the County Dept. of Public Works.
- n.) Provide a cross section detail for the proposed parking area.
- o.) Label the proposed grades on the entrance profile detail.
- p.) Provide a detail for the proposed sidewalk.
- q.) The board should discuss the need for the applicant to provide a lighting plan that shows candle lighting footprint of the proposed lights.

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Please advise if you have any questions.

Very truly yours,



Alfred A. Fusco, Jr., P.E.

Fusco Engineering & Land Surveying, P.C

AAF/sdb

Al Fusco reviewed his letter. He said the only question was in relation to the drainage. Al Fusco said Jim Dillin agreed to put in a rain garden for stormwater.

A motion was made by Bob Conklin and seconded by Frank Gilbert to set a public hearing on August 6, 2014. The motion passed with 6-0 vote.

DEER TRAIL SUBDIVISION – Barry Sloan substituted as chairman for this application.

Jim Dillin, surveyor for the applicant, submitted the following letter:

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James A. Dillin, PLS

PROFESSIONAL LAND SURVEYOR
38 SCOTCHTOWN AVENUE
GOSHEN, NEW YORK 10924
PHONE (845) 294-9085 FAX (845) 294-3606

May 29, 2014

Barry Sloan, Chairman
Town of Chester Planning Board
1786 Kings Highway
Chester, N.Y. 10918

RE: Subdivision of Property for Theodoreu
Pine Hill Road & Deer Trail Road (Private Road)

Dear Barry and Planning Board Members:

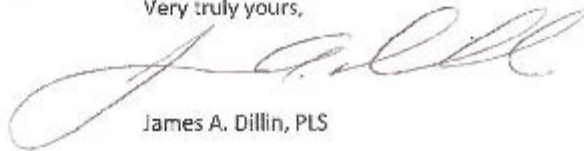
Please find revised Subdivision Maps as per your Planning Board meeting and letter from Fusco Engineering & Land Surveying, P.C. dated April 1, 2014. Revision as follows:

1. Hatching of Driveways
2. Line type revised
3. Monumentation shown
4. Location existing well Lot #3A
5. Show adjoining dwellings, SDS and wells
6. Provide Legend
7. Provide now or formerly and Tax Map designations
8. Owner review box
9. Update Survey
10. Date of Variance
11. Building setback lines and offsets
12. Septic System Certification (attached)

I look forward to continuing the subdivision process at the June 2014 meeting.

Thank you in advance on this matter.

Very truly yours,



James A. Dillin, PLS

JAD/td
cc: James Theodoreu
Encl.

Barry Sloan reviewed the letter submitted by Jim Dillin.

Al Fusco submitted the following letter:

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▪ 233 East Main Street
Middletown, NY 10940
Phone: (845) 344-5863
Fax: (845) 956-5865

▪ 19 Waywayup Lane
Port Jervis, NY 12771
Phone: (845) 956-5866

June 13, 2014

Barry Sloan, Chairman
Town of Chester Planning Board
1786 Kings Highway
Chester, NY, 10918

Re: Subdivision of Property for Theodoreu dated
Pine Hill Road & Deer Trail Rd (private road)

Dear Mr. Sloan and Planning Board Members,

We have reviewed the file offer the following:

Project: Theodoreu Subdivision
Zone: AR-.3 District
Acres: 6.69 acres
SBL: 16-1-79.21 & 80.2

Project Description: This project is a subdivision (lot line change) of two existing residential lots; both lots currently have existing dwellings, Lot 3A is an existing one family dwelling and Lot 3B has two existing dwellings.

The following items are listed to assist the applicant in completing your submission to the Planning Board. Please note that this is only a guide, as the plan progresses other items may be listed in future meetings. If you need further assistance please contact this office.

Comments: We have reviewed the subdivision plan and offer the following comments for planning board review.

1. All of our comments were addressed. Board comments should be addressed at meeting.

This concludes our review at this time.

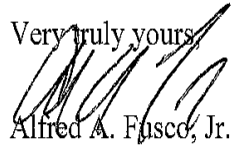
Action:

1. Pleasure of the Board.

**TOWN OF CHESTER
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Please advise if you have any questions.

Very truly yours,



Alfred A. Fusco, Jr., P.E.

Fusco Engineering & Land Surveying, P.C

AAF/sdb

Al Fusco said he reviewed all items that the Board just went over and found that the applicant's surveyor had answered all the questions we had posed. Dave Donovan said the Board had a question from the last meeting where the ZBA had measured the front yard and the front yard setback whether it was from Pine Hill Road or Deer Trail and we do have a letter from the ZBA attorney, Dave Aikman dated May 12, 2014 indicating that the ZBA deemed the fronting street to be Deer Trail and measured the front yard setback from Deer Trail. Based upon that analysis the front yard setback is satisfied.

A motion was made by Carl D'Antonio and seconded by Bob Conklin to set a public hearing on August 6, 2014 at 7:30 p.m. The motion passed with 5-0 vote.

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Chairman Serotta stated this will be John Gargano's last meeting as a Planning Board member because he has moved out of the Town of Chester. He thanked John for making the Planning Board a better board because of his contribution.

The meeting was adjourned at 10:10 p.m.

Respectfully submitted,

Roxanne Serotta
Planning Board Secretary